

BEFORE THE IDAHO BOARD OF TAX APPEALS

IN THE MATTER OF THE APPEAL OF EDWARD M. TAPPER) APPEAL NO. 06-A-2073
from the decision of the Board of Equalization of) FINAL DECISION
Blaine County for tax year 2007.) AND ORDER

RESIDENTIAL PROPERTY APPEAL

THIS MATTER came on for hearing October 19, 2006, in Hailey, Idaho, before Board Member David E. Kinghorn. Board Member Lyle R. Cobbs participated in this decision. Appellant Edward Tapper appeared for himself. Assessor Valdi Pace and Appraiser Tammy Robison appeared for Respondent Blaine County. This appeal is taken from a decision of the Blaine County Board of Equalization (BOE) denying the protest of the valuation for taxing purposes of property described as Parcel No. RP003000020090A.

The issue on appeal is the market value of a residential parcel.

The decision of the Blaine County Board of Equalization is modified.

FINDINGS OF FACT

The assessed land value is \$1,350,000, and the improvements' valuation is \$443,180, totaling \$1,793,180. Appellant requests the land value be reduced to \$550,280, and the improvements' value be left at \$443,180, totaling \$993,460.

The subject property is a 3,117 square foot residence with four (4) bedrooms and four (4) baths located on approximately one acre on Sorrel Lane in Blaine County.

Appellant maintained subject residence is 40 years old and was purchased in 1969 for \$27,000. The Boise Cascade construction was recently appraised for refinance purposes as average construction, ordinary with formica counter tops, drywall cracks and old floor coverings. The appraised value was \$1,525,000 and the fee appraisal was dated June 5, 2006. The amount is \$268,000 less than the assessed value.

Appellant noted a sale of 1.5 million dollars for a property located directly behind subject.

The residence was torn down after the sale and Appellant claimed it will take several years to build the new structure. The new structure will be two to three times the size of subject and other neighboring properties. Appellant claimed the new house has negatively affected the value of subject because of its close proximity and the detrimental affect on subject's view.

Appellant submitted several photographs of subject and the views of the neighborhood and the new residence under construction along with a copy of the fee appraisal.

Appellant claimed the increase in assessed value and property taxes is a hardship.

The Assessor spoke highly of Appellant's fee appraiser and the quality of work submitted in the fee appraisal. It was noted some adjustments to the square footage of subject residence could be warranted.

The County Appraiser submitted photographs of subject and presented both land and improved comparable sales. A map detailed the location of the subject in relation to the sales.

The land sales ranged in size from .72 to 1.05 acres and the sale prices ranged from \$1,350,000 to \$1,550,000.

At hearing, the Assessor and Appellant agreed to the \$1,350,000 assessed land value. Due to a square footage discrepancy, they further agreed to a reduction in the current residence assessed value from \$443,180 to \$295,790, an adjustment of \$147,390.

CONCLUSIONS OF LAW

This Board's goal in its hearings is the acquisition of sufficient, accurate evidence to support a determination of fair market value. This Board, giving full opportunity for all arguments and having considered all testimony and documentary evidence submitted by the parties in support of their respective positions, hereby enters the following.

Appellant presented a fee appraisal of subject property, dated June, 2006. The Assessor

agreed there was a square footage error in the County record and proposed an adjustment to the assessed value of subject residence. At hearing the Appellant agreed to the adjusted assessed value.

Therefore, the Board modifies the decision of the Blaine County Board of Equalization based on the recommendation of the Assessor.

FINAL ORDER

In accordance with the foregoing Final Decision, IT IS ORDERED that the decision of the Blaine County Board of Equalization concerning the subject parcel be, and the same hereby is, modified to reflect a decrease in the improvements value to \$295,790, the land value is unchanged at \$1,350,000 for a total assessed value of \$1,645,790.

IT IS FURTHER ORDERED that any taxes which have been paid in excess of those determined to have been due be refunded or applied against other *ad valorem* taxes due from Appellant.

DATED this 9th day of April, 2007.